

Attorney Docket No.: **DEX-0550**
Inventors: **Macina et al.**
Serial No.: **Not yet assigned**
Filing Date: **Herewith**
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This listing of the claims will replace all prior versions and listings of claims in the application:

Listing of the claims:

Claim 1: (original) An isolated nucleic acid molecule comprising:

- (a) a nucleic acid molecule comprising a nucleic acid sequence that encodes an amino acid sequence of SEQ ID NO: 100-253;
- (b) a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99;
- (c) a nucleic acid molecule that selectively hybridizes to the nucleic acid molecule of (a) or (b); or
- (d) a nucleic acid molecule having at least 95% sequence identity to the nucleic acid molecule of (a) or (b).

Claim 2: (original) The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is a cDNA.

Claim 3: (original) The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is genomic DNA.

Claim 4: (original) The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is an RNA.

Claim 5: (original) The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is a mammalian nucleic acid molecule.

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Claim 6: (original) The nucleic acid molecule according to claim 5, wherein the nucleic acid molecule is a human nucleic acid molecule.

Claim 7: (currently amended) A method for determining the presence of a breast specific nucleic acid (BSNA) in a sample, comprising the steps of:

- (a) contacting the sample with the nucleic acid molecule of ~~SEQ ID NO: 1-99~~ claim 1 under conditions in which the nucleic acid molecule will selectively hybridize to a breast specific nucleic acid; and
- (b) detecting hybridization of the nucleic acid molecule to a BSNA in the sample, wherein the detection of the hybridization indicates the presence of a BSNA in the sample.

Claim 8: (original) A vector comprising the nucleic acid molecule of claim 1.

Claim 9: (original) A host cell comprising the vector according to claim 8.

Claim 10: (original) A method for producing a polypeptide encoded by the nucleic acid molecule according to claim 1, comprising the steps of:

- (a) providing a host cell comprising the nucleic acid molecule operably linked to one or more expression control sequences, and

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(b) incubating the host cell under conditions in which the polypeptide is produced.

Claim 11: (original) A polypeptide encoded by the nucleic acid molecule according to claim 1.

Claim 12: (original) An isolated polypeptide selected from the group consisting of:

- (a) a polypeptide comprising an amino acid sequence with at least 95% sequence identity to of SEQ ID NO: 100-253 ; or
- (b) a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99.

Claim 13: (currently amended) An antibody or fragment thereof that specifically binds to:

- ~~(a) a polypeptide comprising an amino acid sequence with at least 95% sequence identity to of SEQ ID NO: 100-253 ; or~~
- ~~(b) a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99~~ a polypeptide of claim 12.

Claim 14: (currently amended) A method for determining the presence of a breast specific protein in a sample, comprising the steps of:

- (a) contacting the sample with a suitable reagent under conditions in which the reagent will selectively interact

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with the breast specific protein comprising ~~an amino acid sequence with at least 95% sequence identity to of SEQ ID NO: 100-253~~ a polypeptide of claim 12; and

(b) detecting the interaction of the reagent with a breast specific protein in the sample, wherein the detection of binding indicates the presence of a breast specific protein in the sample.

Claim 15: (original) A method for diagnosing or monitoring the presence and metastases of breast cancer in a patient, comprising the steps of:

(a) determining an amount of:

(i) a nucleic acid molecule comprising a nucleic acid sequence that encodes an amino acid sequence of SEQ ID NO: 100-253;

(ii) a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99;

(iii) a nucleic acid molecule that selectively hybridizes to the nucleic acid molecule of (i) or (ii);

(iv) a nucleic acid molecule having at least 95% sequence identity to the nucleic acid molecule of (i) or (ii);

(v) a polypeptide comprising an amino acid sequence with at least 95% sequence identity to of SEQ ID NO: 100-253 ; or

(vi) a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99

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and;

(b) comparing the amount of the determined nucleic acid molecule or the polypeptide in the sample of the patient to the amount of the breast specific marker in a normal control; wherein a difference in the amount of the nucleic acid molecule or the polypeptide in the sample compared to the amount of the nucleic acid molecule or the polypeptide in the normal control is associated with the presence of breast cancer.

Claim 16: (currently amended) A kit for detecting a risk of cancer or presence of cancer in a patient, said kit comprising a means for determining the presence of:

- (a) a nucleic acid molecule comprising a nucleic acid sequence that encodes an amino acid sequence of SEQ ID NO: 100-253;
- (b) a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99;
- (c) a nucleic acid molecule that selectively hybridizes to the nucleic acid molecule of (a) or (b); or
- (d) a nucleic acid molecule having at least 95% sequence identity to the nucleic acid molecule of (a) or (b); or
- (e) a polypeptide ~~comprising an amino acid sequence with at least 95% sequence identity to~~ of SEQ ID NO: 100-253; or
- ~~(f) a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99 of claim 12.~~

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Claim 17: (currently amended) A method of treating a patient with breast cancer, comprising the step of administering a composition consisting of:

- (a) a nucleic acid molecule comprising a nucleic acid sequence that encodes an amino acid sequence of SEQ ID NO: 100-253;
- (b) a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99;
- (c) a nucleic acid molecule that selectively hybridizes to the nucleic acid molecule of (a) or (b);
- (d) a nucleic acid molecule having at least 95% sequence identity to the nucleic acid molecule of (a) or (b); or
- (e) a polypeptide ~~comprising an amino acid sequence with at least 95% sequence identity to of SEQ ID NO: 100-253 ; or~~
- ~~(f) a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 1-99 of claim 12;~~

to a patient in need thereof, wherein said administration induces an immune response against the breast cancer cell expressing the nucleic acid molecule or polypeptide.

Claim 18: (original) A vaccine comprising the polypeptide or the nucleic acid encoding the polypeptide of claim 12.